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RUEHCD/AMCONSUL CIUDAD JUAREZ 0175
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RUEATRS/DEPT OF TREASURY WASHDC

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SIPDIS

SIPDIS

STATE FOR AF/RSA
WARSAW FOR LISA PIASCIK
CIUDAD JUAREZ FOR DONNA BLAIR
ISTANBUL FOR TASHAWNA SMITH
SAO PAULO FOR ANDREW WITHERSPOON
STATE FOR G/TIP, G, INL, DRL, PRM

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SUBJECT: NIGERIA 2007 TRAFFICKING IN PERSONS REPORT

REF: 06 STATE 202745

LAGOS 00000185 001.2 OF 011

¶1. (U) The following is Mission Nigeria's submission for the annual trafficking in persons (TIP) report. Paragraphs respond to questions in reftel.

¶27. (SBU) Overview

-- A. Nigeria is a source, transit, and destination country for trafficked persons. Trafficking also occurs within country. National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) does not keep numbers of trafficking victims but uses a 2002 UNICEF estimate that out of 15 million children in the labor force, 40 percent (6 million) were trafficked. United Nations Children's Fund (UNICEF) estimates between 50,000 and 70,000 African women are in Italy in prostitution, of which 70 percent are from Nigeria. Common sources of trafficking information are NAPTIP, International Organization of Migration (IOM), UN Crime and Research Institute (UNCRI), UN Office on Drugs and Crime (UNODC) and UNICEF. NAPTIP estimates female trafficking victims outnumber males by a ratio of 4 to 1.

-- B. The Nigerian government has made efforts to combat trafficking in Nigeria, but has thus far failed to provide adequate funding. Moreover, the government's limited efforts are hampered by the country's porous borders, corruption, and endemic poverty.

NAPTIP is the lead agency for all trafficking in persons (TIP) issues. The NAPTIP Act and the Child Rights Act provide the legal framework to combat trafficking, and the government has increased the budget for NAPTIP. With regards to prevention of trafficking, the government has made progress in its campaign to sensitize citizens to the dangers of trafficking. However, trafficking remains widespread because of endemic poverty, general ignorance, and corruption which aid traffickers. Prosecution has been limited. Although the NAPTIP Act criminalizes trafficking, in practice the courts move slowly and NAPTIP has secured few convictions relative to the number of cases. With regard to protection of the victims of trafficking, NAPTIP lacks adequate funding to maintain its shelters. NAPTIP lacks adequate funds to provide victims with retraining or microcredit loans and often looks to international NGOs and foreign governments for assistance. Overall, there is no evidence trafficking is decreasing and it may in fact be on the rise as widespread poverty continues to encourage desperate measures.

Trafficking has received increased attention in Nigeria, and the government has increased public sensitization through its publicity campaigns. These campaigns include posters, stories in the print media, and radio commercials. Sensitization campaigns have had some effect, as has the harrowing testimony of former trafficking victims. For example, "Gloria" spoke at a TIP forum for the media in

LAGOS 00000185 002.2 OF 011

Lagos, where she shared her story of crossing the Sahara despite constant hunger and repeated rapes. The publicity has forced some traffickers to move their operations to more remote sections of the country. While the media publicity is generally anti-trafficking, some NGOs complain that Nigerian movies glamorize trafficking.

Traffickers often employ deception to lure their victims. Traffickers will often lie to the victim about the work he/she will do. While some TIP victims know they will go into prostitution, many victims are told, and believe, they will pick fruit or be a domestic servant, and only later find out they will work in hard labor or the sex industry. In parts of the south, traffickers sometimes employ voodoo to frighten the victim into doing the traffickers' bidding. Some young victims are desperate to travel to Europe and unaware of the extremely difficult trek crossing the Sahara. If the women reach Europe, they often are kept virtual prisoners until they can repay the cost of their journey and turn a profit for the trafficker. Sometimes parents will agree to sacrifice a child, believing it for the good of the rest of the family. These parents will often convince or coerce the child into participating, using the example of prostitutes and laborers who have sent money to support their family or to build a house. Traffickers will sometimes send a little money to the family for a while and then stop the remittances and claim the child has escaped. Traffickers most often target the young and poor, aged between 8 and 25. These men, women, and children are intended for prostitution, domestic work, or field work.

International trafficking destinations include but are not limited to the ECOWAS countries, Italy, Spain, Saudi Arabia, Turkey, the Netherlands, Germany, Austria, Belgium, France, Norway, and Ireland. Transit countries include countries in north and west Africa, particularly Libya and Morocco. While Morocco and Libya are not considered destination countries, often victims will live and work in these countries for an indefinite period of time. The absence of travel restrictions makes ECOWAS countries a destination for

trafficking, but traffickers will seek greater profits in Europe. TIP victims in Europe are often involved in the sex industry. Italy is a prime destination for Nigerians working in the sex industry, as many Nigerian sex workers are concentrated in Turin. Much of the Edo State trafficking goes to Italy. TIP victims in the UK are often in domestic work. In Saudi Arabia, TIP victims are often sent to prostitution or domestic labor. Young boys are reportedly sent to Saudi Arabia as camel jockeys. In Nigeria and the rest of Africa, TIP victims are working in prostitution, domestic work or field work. There is a large amount of internal trafficking, going from rural areas and states such as Akwa Ibom, Cross River, Imo, and northern states to the urban centers of Lagos, Abuja, and Kano.

False documents are a common way to move TIP victims. Traffickers will often use the passport of a girl who has already traveled with a legitimate visa. The traffickers will substitute the photo and the victim will travel using

LAGOS 00000185 003.2 OF 011

the doctored passport. Traffickers work in a syndicate which includes the head pimp, usually a wealthy individual referred to as the "madam" or "italo sponsor" who heads the syndicate.

The madam is often a former prostitute. These madams see becoming a trafficker the avenue to profit. This creates an insatiable need by the traffickers for more girls. The syndicate includes recruiters, "trolleys" who are in charge of the transport of the women and obtaining proper documents, complicit police, immigration and/or Ministry of Foreign Affairs staff, and sometimes voodoo priests who practice witchcraft to intimidate the TIP victims. Some states such as Ekiti and Cross River have passed the Child Rights Act (see Section 29), while Edo State has enacted a Criminal Code Amendment (see Section 29) to deal specifically with human trafficking. The government has doubled NAPTIP funding in the past year, though nongovernmental organizations (NGOs) say the funding is still inadequate.

-- C. While NAPTIP's sole function is to deal with trafficking, there have been limitations to NAPTIP's effectiveness. Corruption is endemic in the police, Nigerian Immigration Service (NIS), and the Ministry of Foreign Affairs (MFA). The Nigerian police are poorly paid and prone to corruption. The government has doubled the budget for NAPTIP, but NAPTIP still lacks adequate funding to support field investigations and adequate shelter facilities. Rehabilitation training has so far been weak; counselors are available but NGOs report there are few services available to TIP victims once they leave the NAPTIP shelter.

-- D. The government monitors its anti-trafficking efforts through a quarterly anti-TIP stakeholders forum. NAPTIP does not issue an annual report to the public, but does respond to queries. NAPTIP lacks basic data on numbers of trafficking victims. However, NAPTIP has been working with the American Bar Association (ABA) to develop a database of traffickers and their victims.

128. (SBU) Prevention

-- A. The government acknowledges TIP is a problem in Nigeria.

-- B. NAPTIP is the lead agency for trafficking matters. Other agencies involved include the Nigeria Police Force (NPF), Nigeria Immigration Service (NIS), Ministry of Foreign Affairs (MFA), Ministry of Labor and Productivity, and the Ministry of Information, National Orientation and Cooperation and Integration in Africa are involved in anti-TIP efforts.

-- C. NAPTIP has conducted anti-trafficking public information and education campaigns. These campaigns largely involve posters, commercials, programs, and forums to sensitize the public to the problem of trafficking. NAPTIP

has targeted schools for its primary education drive. These efforts have forced traffickers to move their recruiting activity to more remote areas. However, NGOs report trafficking has merely moved, not decreased. NGOs have also

LAGOS 00000185 004.2 OF 011

been active in sensitization campaigns to target potential trafficking victims. These campaigns generally consist of a rally or conference, a distribution of anti-trafficking paraphernalia, and publicity through the media.

U.S. Agency for International Development (USAID) worked with anti-trafficking partners in Osun State to increase awareness of the problem of trafficking. The objective of the project was to encourage grass roots participation to reduce factors such as poverty and lack of skills, which lead to trafficking.

NAPTIP acknowledges that while they have worked to control demand, more needs to be done. NAPTIP held a forum in Abeokuta, Ogun State to stem the use of child labor from Benin in farms.

-- D. The government's education reform plan is called the Universal Basic Education (UBE) program. The UBE is an attempt to keep children in school by improving facilities and establishing basic education standards. However, implementation of the UBE has been spotty. The national passage of the Child Rights Act in 2005 stiffened penalties for trafficking in children. Some, but not all, states have passed the Child Rights Act.

-- E. The government has several different methods to work with NGOs active in TIP. The National Consultative Forum includes local NGOs, international NGOs, and representatives of state anti-trafficking networks. This group works with NAPTIP on trafficking issues. UN and foreign governments have worked closely with NAPTIP on trafficking issues. UNICEF supports the NAPTIP shelter in Lagos with food and training equipment. Local NGOs and churches have a cordial relationship with NAPTIP, the agency participates in NGO conferences and sometimes NAPTIP refers TIP victims to the NGOs for rehabilitative work. In Benin City, NAPTIP often refers victims to Idia Renaissance and the Committee for the Support and Dignity of Women (Cosudow). The Women's Trafficking and Child Labor Eradication Foundation (WOTCLEF), run by the Vice-President's wife Titi Abubakar, was once prominent in combating trafficking but the NGO has reportedly reduced its public profile as the Vice-President's feud with President Obasanjo has accelerated. NGOs work in a consultative manner with NAPTIP, but the agency makes the final decisions.

-- F. NAPTIP works closely with the Nigerian Immigration Service (NIS) to monitor trafficking patterns. The NAPTIP Deputy Director is a highly respected senior Immigration Officer who has direct and unimpeded access to the Comptroller General of Immigration. NAPTIP's sensitization training has helped immigration authorities to recognize trafficking on the border. According to NAPTIP officials, the large flow of migrants across Nigeria's borders makes it difficult for immigration officials to tell the difference between trafficking and alien smuggling. NAPTIP has been working with the American Bar Association (ABA) on developing a database of traffickers and their victims. This database, when operational, will assist police and immigration in

LAGOS 00000185 005.2 OF 011

identifying traffickers and their victims.

-- G. In addition to the national stakeholders forum, NAPTIP has established anti-trafficking stakeholders forums in six regional zones and in twenty-two of the hardest-hit states. The national forum includes representatives of state working groups, NGOs, and international agencies such as UNICEF,

USAID, ILO, and IOM. The regional and state forums meet on a quarterly basis, and consist of local government officials, traditional rulers, police, immigration authorities, churches, and nongovernmental organizations. The Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and other Related Offences Commission (ICPC) handle issues of public corruption. The EFCC is the lead prosecuting agency on corruption issues.

-- H. The government developed a plan of action in 2006 to deal with trafficking. The plan is awaiting approval by the President. NAPTIP developed the plan, in conjunction with NGOs. Some NGOs say they were not consulted on the plan. The government has not disseminated its action plan.

29. (SBU) Investigation and Prosecution of Traffickers

-- A. The government has passed the Trafficking in Persons, (Prohibition) Law Enforcement and Administration Acts, 2003 and 2005, as well as the Child Rights Act (2002 and 2005). The Child Rights Act increased sanctions and established the best interests of the child as an operating principle. The laws cover trafficking for both sexual and non-sexual purposes, as well as internal and external forms of trafficking.

In addition, Traffickers can be prosecuted under the Criminal Code (applicable in southern states of Nigeria), the Penal Code (applicable in northern states of Nigeria), the Edo State law Against Human Trafficking (applicable only to Edo State), the Labour Act (1974), and the Immigration Act. These laws, taken together, are adequate to cover the scope of TIP in Nigeria.

-- B. Under the Child Rights Act, the penalty for trafficking people for sexual exploitation purposes is ten years to life imprisonment and/or a 200,000 Naira fine (approximately \$1560). The penalty for trafficking for purposes of labor exploitation is a five year imprisonment and/or a 100,000 Naira fine (approximately \$780).

The Criminal Code issues a sentence of two years imprisonment for procuring, pimping, and exploiting prostitutes.

The Penal Code states trafficking in women for immoral purposes carries a seven-year sentence.

-- C. The Criminal Code states forced labor has a penalty of imprisonment.

LAGOS 00000185 006.2 OF 011

The Penal Code states forced labor has a penalty of one year in prison.

The Child Rights Act provides a ten-year sentence for trafficking children for hawking or begging.

The Criminal and Penal Codes carry a 14-year sentence for externally trafficking persons into slavery.

-- D. The penalty for rape is ten years and/or a 200,000 naira fine, while forcible sexual assault carries a two-year jail term. The penalty for rape is the same as trafficking for purposes of commercial exploitation.

-- E. Prostitution is criminalized in some states, while in other states prostitution is legal but solicitation and other activities connected to prostitution are criminalized. Activities of those connected to prostitution are criminalized. However, prostitution is widespread in Nigeria, centered mainly at hotels and crossroads areas such as truck stops.

-- F. Between March 2006 and March 2007 the government conducted eighty investigations, filed twenty-three cases in court, and obtained three convictions. The penalties in the three convictions were:

- Two years imprisonment with hard labor
- Two years imprisonment
- One year imprisonment and a 150,000 Naira fine (approximately \$1150)

The government prosecutes trafficking in persons for labor purposes

-- G. International traffickers work in syndicates which include the head pimp, usually a wealthy individual referred to as the "madam" or "italo sponsor" who heads the syndicate.

These syndicates can be large or small. While there is no official government involvement in trafficking, sometimes individual government officials are involved, including members of the police, immigration authorities, or Ministry of Foreign Affairs staff. The police are often reluctant to investigate after accepting bribes from suspects. Employment, travel, and tourism agencies often front for traffickers. In Kano, travel agencies connected with the Hajj have helped traffic young girls to Saudi Arabia. Traffickers' most effective recruiting technique is word of mouth, recruiting people who return to find the victims. Sometimes the victim's parents participate with the traffickers in the deception, but usually it is a relative or a neighbor who refers the victims to the traffickers. The traffickers' profits are usually used for their own benefit. Traffickers will sometimes use their money to build houses in Nigeria and help their families back home.

-- H. The government investigates cases of trafficking, using undercover sting operations and granting immunity for cooperating suspects. However, NGOs report NAPTIP uses these

LAGOS 00000185 007.2 OF 011

tactics only to a limited extent. Criminal procedure does not prohibit the police from covert operations.

-- I. The government provides specialized training to increase trafficking awareness. NAPTIP has worked with the police and NIS to sensitize them to trafficking. NAPTIP has also worked with its own investigators on improving its techniques. NAPTIP has worked with judges and prosecutors to familiarize them with the NAPTIP Act and the provisions of the law.

-- J. The government cooperates with several countries on trafficking cases, notably Benin, Togo, Italy, and Cameroon. NAPTIP has three cooperative investigations on trafficking with Benin, and one each with Ghana, Niger, and Spain. Nigeria has a bilateral agreement with Benin, but not Ghana, Niger, and Spain. NAPTIP has worked with Benin and Togo to repatriate TIP victims and prosecute traffickers. The Nigerian Embassy in Italy works with the Italian government on repatriation by providing documents for the TIP victims. NAPTIP and the NIS have worked with the European Union (EU) to help immigration officials identify false documents used by traffickers to transport their victims. The Nigerian government through NAPTIP played a major facilitating role in the organizations of the regional conference on TIP in Nigeria in July 2006 by ECOWAS and the Economic Community of Central African States (ECCAS). The objectives of the conference as articulated were; (a) To develop a common understanding among countries of Central and West Africa with respect to the definition and manifestation of TIP in both regions, taking into consideration cultural and traditional perspectives and practices; (b) To promote and strengthen regional and interregional cooperation between ECOWAS and in the fight against TIP; and (c) To adopt a common Plan of Action (PA) for both regions. It was agreed that a Regional Expert Working Group would be held in May in Gabon preparatory to the regional conference that developed the PA

and Multilateral Cooperative Agreement on TIP for ECCAS and ECOWAS States.

-- K. The government has established extradition agreements to repatriate traffickers. However, there have been no cases involving extradition of traffickers.

-- L. Until September 2006 the Ministry of Foreign Affairs (MFA) documentation office would issue any travel documents for an additional fee (a bribe), without checking the legitimacy of the applicant. Many people including traffickers used these documents to travel across borders. In September 2006 the MFA replaced the entire staff of the documentation office with new workers. There have been no reported instances of official government complicity in trafficking. However, individual officials can be involved in assisting trafficking by issuing documents or by looking the other way when they encounter traffickers. There is reportedly strong suspicion of complicity in trafficking by individual NIS border officials.

-- M. In September 2006 the government fired the Head of the
LAGOS 00000185 008.2 OF 011

Documentation Office and the entire staff for its involvement in the travel documents scandal. The case against the documentation staff is still in the courts. There has been no resolution of the case of the police inspector arrested in 2005 for releasing two subjects in Abuja after being given specific orders to hold them.

-- N. Nigeria has not been identified as having a child sex tourism problem. However, children under 18 are often trafficked for sexual purposes.

-- O. The government has signed, ratified, and taken steps to implement ILO Convention 182 (November 2, 2002), ILO Convention 29 and 105 (October 17, 1960), Optional Protocol on the Rights of the Child (April 20, 2001) and the Protocol to Prevent, Suppress and Punish TIP (March 29, 2001).

130. (SBU) Protection and Assistance to Victims

-- A. The government does not provide permanent residency status, only temporary residency status, to TIP victims. The government provides assistance to TIP victims through NAPTIP shelter services. The shelters provide legal, medical, and psychological assistance for the victims. The shelters provide only temporary services, and generally not for more than six months. NAPTIP will keep the victims at the shelter to obtain their testimony for prosecution of traffickers. TIP victims with sexually-transmitted diseases or who are HIV positive can obtain medical assistance while in the shelter. NAPTIP has an agreement with certain hospitals and clinics to provide service to TIP victims. According to NAPTIP, 352 TIP victims passed through their shelters. NAPTIP maintains shelters in Lagos, Abuja, Benin City, Sokoto, Kano, and Uyo.

-- B. The government sometimes provides funding to NGOs for assistance. However, as NAPTIP is underfunded this assistance is small. NAPTIP will often refer TIP victims to NGOs for rehabilitation assistance, and in the past referred victims to WOTCLEF for rehabilitation. Some NGOs however, are critical of NAPTIP rehabilitation services.

-- C. The government works with IOM to receive TIP victims from overseas, and with local NGOs to receive internal TIP victims. IOM handles voluntary repatriations, NAPTIP handles involuntary repatriations. IOM will transfer the victims to NAPTIP's jurisdiction. NAPTIP sends the TIP victims to the shelters for long and short term counseling, rehabilitation, and reintegration services. After the victims leave the shelter, they can contact their state governments for assistance.

-- D. The rights of victims are protected under the NAPTIP Act. NAPTIP does not jail victims, though the agency keeps foreign TIP victims in shelters under guard until they are repatriated. Victims are not fined or prosecuted.

-- E. The government encourages victims to assist in

LAGOS 00000185 009.2 OF 011

investigation and prosecution of trafficking. Victims can file suit against their traffickers but rarely do so because of poverty or fear. NAPTIP will obtain the victims' testimony for prosecution and after that the victim will be free to return home. Most victims will return to their families, but there are instances where the victim has nowhere to go. There is a victim restitution program, which allows victims to obtain compensation from the traffickers. It has been established but it is reportedly not effective as few victims have obtained compensation.

-- F. The government provides protection through the police. NAPTIP maintains three shelters in Lagos, Abuja, and Benin City. NAPTIP maintains a rehabilitation shelter in Kano. NAPTIP does not have any funds to reintegrate victims into society, but sometimes IOM and UNICEF have provided reintegration support funds. Because only a small percentage of Nigerians are able to find formal sector employment, legitimate employment opportunities for rehabilitated trafficking victims are severely limited. Child victims are placed in shelters and reunited with their families if possible. Sometimes families cannot be located or are unwilling to accept the child.

-- G. The government provides training to NAPTIP, NIS, and police officials in trafficking matters. Nigerian Embassies and Consulates are also sensitized to human trafficking through training conducted by NAPTIP. The Nigerian Embassy in Italy aids TIP victims in country by connecting them to NGOs who can provide assistance.

-- H. The government provides assistance through the NAPTIP shelters and the victim assistance package. The NAPTIP shelters provide medical support. TIP victims choose a vocation and are provided with the necessary equipment and training. In addition, some states provide assistance to TIP victims through their own programs. In Edo State, there is training for TIP victims through the UNICEF center in Benin City. TIP victims can receive training in hairdressing, sewing, computers, and catering. Some TIP victims are eligible for microcredit, though in practice the number of victims receiving funding is small. Some NGOs report microcredit is not effective with TIP victims because they have few skills.

-- I. UNICEF, IOM, ILO, ECOWAS, and the AU work with TIP victims. IOM meets victims at the airport and refers them to NAPTIP. IOM also supports the Lagos shelter. UNICEF has provided funds for food and training equipment for the shelter. UNICEF helped fund a training centre for youth, including trafficking victims, in Benin City.

Prominent local NGOs include WOTCLEF, the Women's Consortium of Nigeria (WOCON), Idia Renaissance, the Royal Pearls Foundation, Women of Life Foundation (WOLF), Human Development Initiative, Women Development Foundation, and the Network for Justice and Democracy (NJD). NAPTIP refers victims to some of these organizations for rehabilitation. WOTCLEF operates rehabilitation shelters in Abuja and

LAGOS 00000185 010.2 OF 011

Abeokuta.

NAPTIP works with international and local NGOs by including them in the anti-TIP network and attending anti-TIP events

organized by the NGOs. NAPTIP, which lacks adequate funding for rehabilitation, often relies on NGOs to fill these gaps.

131. (U) Anti-TIP Heroes in Nigeria

Carol Ndaguba, Executive Director of NAPTIP, has led the agency since its formation in 2003. As the lead agency for trafficking matters, Ndaguba directs Nigeria's national and international efforts to combat TIP.

Bisi Olateru-Olagbegi, Executive Director of WOCON has become one of Nigeria's foremost experts on trafficking. Olagbegi visited US anti-TIP efforts on an International Visitors (IV) grant and has worked with community groups and NAPTIP on trafficking. Recently, Olagbegi went to Ogun State to sensitize farmers against using child labor trafficked from Benin to work in the fields.

Nike Ogundaye-Davies, Director of the Nike Art Center, has worked with TIP victims from Italy upon their repatriation. The Nike Art Center taught victims skills in Nigerian crafts and arts. Nike received a medal from the Italian government for her work with trafficking victims in Edo State.

132. (U) Best Practices

NAPTIP started in 2004 an initiative to unite various local groups and law enforcement into an anti-TIP network. This network consists of members of the police, immigration, local government, nongovernmental organizations, traditional rulers, churches, and community leaders. The military is not a part of the network. This network has improved awareness of trafficking and encouraged cooperation across organizational boundaries.

133. (U) Contact and Preparation Information

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LAGOS 00000185 011.2 OF 011

USAID Officer: 1 hour
Poloff: 50 hours

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